

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

SEP 18 2007

LAWRENCE K. BAERMAN, Clerk
UTICA

ARTHUR H. WILLIAMS, JR.,

Plaintiff,

Civil Action No. 05-CV-0438
(DNH/GJD)

v.

UNITED STATES OF AMERICA,
DEPARTMENT OF VETERANS' AFFAIRS
TOGO D. WEST, JR., R. JAMES NICHOLSON,
MAYNARD D. GOODSPEED

Defendants.

ORDER

A Motion to Dismiss having been made by defendants, United States of America, Department of Veterans' Affairs, Togo D. West, Jr., R. James Nicholson, and Maynard D. Goodspeed, and the motion having been scheduled for a regularly scheduled motion term in the United States District Court, Utica, New York, on September 14, 2007,

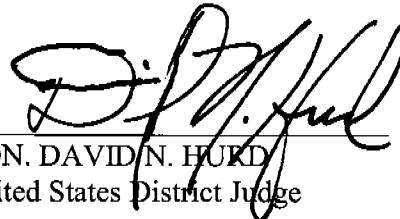
NOW, in consideration of the papers submitted in support of the motion by the Defendants to Dismiss, and upon all the pleadings and papers in this action, and there having been no opposition filed by the plaintiff, it is

ORDERED, that the Defendants' Motion to Dismiss is granted, it is further

ORDERED that the plaintiff's complaint be dismissed, and it is further

ORDERED that each party shall bear their own costs.

Dated: September ¹⁸, 2007
Utica, New York



HON. DAVID N. HURD
United States District Judge